



## *LIQUOR CONTROL DIVISION*

### *Frequently Asked Questions*

#### *Special Permit*

Q. Who is eligible for special permits and how many special permits are allowed per year?

A. Organizations that may qualify for a special permit to sell beer and table wine are:

- (1) 501(c)(3) organization (limit up to 3 per year);
- (2) 501(c)(3) intercollegiate athletic fund-raising organization (limit up to 12 per year);
- (3) 501(c)(4) civic league or organization (limit up to 12 per year);
- (4) 501(c)(6) chamber of commerce or business league (limit up to 12 per year);
- (5) Accredited Montana post-secondary school (limit up to 3 per year);
- (6) An organization operated to raise funds for a needy person;
- (7) **Licensed** veterans or fraternal organization (limit up to 3 per year);
- (8) Professional sports organization (seasonal);
- (9) Junior hockey team (seasonal)

*There are two other entities that may apply for a special permit:*

- (1) A licensed winery located in Montana that desires to sell and serve their products for on-premises consumption ONLY at a special event (limit up to 12 per year); and
- (2) A Veteran/Fraternal Organization that **does not** hold a license and would like to serve beer and table wine or all-alcoholic beverages to their members and guests for a special event at their lodge or post (limit up to 12 per year).

Q. Can an applicant for a special permit hold an ownership interest in a manufacturer, importer, table wine distributor, beer wholesaler, and retail liquor license or Agency liquor store?

A. No. With the exception of a veterans or fraternal organization which must hold a retail liquor license to obtain a special permit.

Q. Can a special permit be issued at the same location as another special permit or retail license?

A. No. Only one special permit can be issued for each location, enclosed area, booth or designated area. A special permit cannot be issued for an already licensed location.

Q. Where can a special permit holder sell beer and/or wine?

A. A special permit entitles a holder to sell and serve beer and/ or wine at retail, only at a booth, stand or fixed place of business within the exhibition enclosure, confined to specific premises or designated areas described in the application (including bleachers or grandstands). Guests must consume beer and/ or wine in the designated area where the special permit is issued. The location of the event cannot be within 600 feet and on the same street as a school or church.

Q. Where can the guests for a special event consume beer and wine?

A. Guests must consume beer and wine in the designated area that the special permit is issued.

Q. Who must sell and serve beer and/or wine with a special permit?

A. The holder of a special permit, their employees, or agents, must sell and serve.

Q. Does the holder of a special permit, its employees or agents, have to be server trained?

A. Yes. Within 60 days of hire.

Q. Can special permit holders use portable equipment furnished by a wholesaler?

A. Yes. A special permit holder can use portable equipment furnished by a wholesaler. The wholesaler can assist in setting up the equipment prior to the event.

Q. Can a special permit holder receive beer and wine prior to the special event in order to get ready for the event?

A. No. The special permit holder is considered a beer and wine retailer ONLY for the dates and times represented on the application. The holder cannot have product delivered to the location of the event or pick up the product until the day the permit is issued for.

Q. What is a special event?

A. A special event is a short, infrequent, out of the ordinary occurrence, such as a fair, wedding reception or sporting contest. (16-3-106, MCA)

Q. If a special permit holder purchases a keg, who puts the keg tag on?

A. Only retail licensees are allowed to attach keg tags.

Q. Where does a special permit holder purchase beer and/or wine?

A. The holder of a special permit may purchase from a beer wholesaler, table wine distributor, a brewery or a winery.

Q. Can a special permit holder sell distilled spirits?

A. Special permits for Veterans' and Fraternal Organizations are the only entities allowed to sell distilled spirits. The distilled spirits must be purchased from a state Agency liquor store.

Q. Can a beer wholesaler or table wine distributor accept return of or buy back product at the conclusion of a special event or catered event?

A. No. Beer and wine cannot be sold on a consignment basis. Distributors and wholesalers are not allowed to buy back unused product at the conclusion of an event. Whatever product a special permittee, catering permittee or retail licensee purchases must be either sold during the event, taken home with them (for special permittee) or returned to the retailer's licensed premises at the end of the event. Conclusion of a special event does not fall into the scope of seasonal business or termination of retail business for purposes of buying back or returning product to a wholesaler or distributor.